

AMENDED IN SENATE APRIL 26, 2011

AMENDED IN SENATE MARCH 17, 2011

SENATE BILL

No. 298

Introduced by Senator De León
(Coauthor: Senator Price)

February 14, 2011

An act to amend Section 1 of Chapter 58 of the Statutes of 1997, relating to charter schools.

LEGISLATIVE COUNSEL'S DIGEST

SB 298, as amended, De León. Charter schools: at-risk pupils: ~~county board of education~~ *Los Angeles County Board of Education*.

(1) Existing law allows a charter school that serves at-risk pupils and operates under a charter approved before June 1, 1997, by the Los Angeles County Board of Education to operate until June 30, 2013. The existing statute requires the approval of the county board of education for the specified charter school or schools to continue operating after June 30, 2008.

This bill would instead allow the specified charter school or schools to operate until June 30, ~~2028~~ *2018*, subject to the approval of the county board of education for continued operation after June 30, 2013.

(2) The existing statute requires that the specified charter school or schools receive funding for the attendance of pupils for each fiscal year up to and including the 2012–13 fiscal year at the same rates as community schools and community day schools in the same county.

This bill would extend that provision to also cover the attendance of pupils in the 2012–13 to ~~2027–28~~ *2017–18* fiscal years, inclusive.

(3) This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Los Angeles.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1 of Chapter 58 of the Statutes of 1997,
2 as amended by Section 1 of Chapter 525 of the Statutes of 2007,
3 is amended to read:

4 Section 1. (a) A charter school operating under a charter
5 approved before June 1, 1997, by the county board of education
6 of a county of the first class to serve at-risk pupils, may operate
7 until June 30, ~~2028~~ 2018. The continuation of the authority of a
8 charter school to operate pursuant to this subdivision after June
9 30, 2013, shall be subject to the approval of that county board of
10 education.

11 (b) Notwithstanding any other provisions of the Education Code,
12 except as set forth in subdivision (c), for the 2012–13 to ~~2027–28~~
13 ~~2017–18~~ fiscal years, inclusive, the attendance of pupils in a charter
14 school to which this section applies shall be funded at the same
15 rates for the same categories of pupils as community schools and
16 community day schools in the same county.

17 (c) A charter school operated pursuant to subdivision (a) may,
18 if its charter so provides, operate one or more community day
19 schools in compliance with Article 3 (commencing with Section
20 48660) of Chapter 4 of Part 27 of Division 4 of Title 2 of the
21 Education Code, except for compliance with the employment
22 requirements in subdivision (a) of Section 48663 and subdivision
23 (c) of Section 48664 of the Education Code, and the funded average
24 daily attendance limitations of paragraphs (1) and (2) of subdivision
25 (a) of Section 48664 of the Education Code, and be funded for not
26 more than 2,000 units of average daily attendance in any fiscal
27 year, to the extent that funding is appropriated therefor, pursuant
28 to subdivision (a) of Section 48664 of the Education Code, as if
29 it were a community day school operated by a county. The average
30 daily attendance of a charter school operating pursuant to this
31 section shall not be in addition to the average daily attendance
32 limitation provided pursuant to subdivision (a) of Section 48664
33 of the Education Code.

34 (d) A county board of education that has approved a charter
35 school as set forth in subdivision (a) shall establish specific

1 accountability criteria to annually measure the performance of the
2 charter school. The county board of education shall annually report
3 the measurement to the State Department of Education, the
4 Department of Finance, the Assembly Committee on Education,
5 the Assembly Committee on Appropriations, the Senate Committee
6 on Education, and the Senate Committee on Appropriations. The
7 accountability criteria shall comply with the alternative
8 accountability system described by subdivision (h) of Section
9 52052 of the Education Code.

10 (e) If a charter school does not comply with the performance
11 criteria described in subdivision (d), the charter school shall submit
12 to the county board of education a plan for improvement that is
13 designed to enable the charter school to comply with the criteria
14 within a time determined by the county board of education.

15 SEC. 2. The Legislature finds and declares that a special law
16 is necessary and that a general law cannot be made applicable
17 within the meaning of Section 16 of Article IV of the California
18 Constitution because of the unique circumstances resulting from
19 the intensely urbanized nature of the County of Los Angeles.